

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff,

v

\$41,435.00 IN U.S. CURRENCY

Defendant.

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CIVIL NO. 04-1976 (JAF)

**DEFAULT DECREE OF FORFEITURE**

WHEREAS, on September 20, 2004 the United States filed a Verified Complaint for Forfeiture in Rem against \$41,435.00 in U.S. Currency. (See Docket #1)

WHEREAS, on December 7, 2004 claimant Anibal Hernández Díaz was served through his attorney, Laura Maldonado, with process of action and filed a claim on January 5, 2005. ( See Dockets # 8 and 10).

WHEREAS, On November 17, 2005 plaintiff, the United States, informed the Court its fruitless attempts to depose claimant. On that same date Claimant's attorney stated that she has not been able to reach her client.

WHEREAS, In view of the aforementioned, the United States requested the entry of default against claimant for failure to appear.

WHEREAS, On November 17, 2005, this Court granted claimant 20 days to comply with discovery.

WHEREAS, On December 8, 2005 claimant's attorney filed an informative motion

indicating that her efforts in trying to locate claimant has been unsuccessful.

Now, therefore, on motion of the plaintiff, United States of America, for a Default Decree of Forfeiture, it is hereby

**ORDERED, ADJUDGED AND DECREED** that the above mentioned property be forfeited to the United States of America and no right, title or interest in the property shall exist in any other party. The defendant property shall be disposed of in accordance to law by the United States Marshals Service.

SO ORDERED.

In San Juan, Puerto Rico this 23rd day of December, 2005.

S/JOSE A. FUSTE  
JOSE A. FUSTE  
UNITED STATES DISTRICT JUDGE